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PETDEC

Paper No. 7

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In re Application of  
Yoshida et al.  
Application No. 09/672,216  
Filed: September 28, 2000  
Attorney Docket No. MAT-8023US

OFFICE OF PETITIONS  
DECISION DISMISSING  
PETITION

This is a decision on the petition filed on November 27, 2000, in effect requesting that a Notice to File Missing Parts of Nonprovisional Application ("Notice"), mailed on November 13, 2000, be partially withdrawn to the extent that it refers to omitted figures.

The petition is **DISMISSED as moot**.

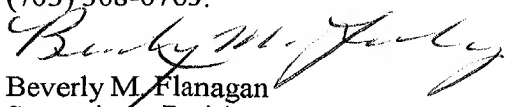
The application was filed on September 28, 2000. On November 13, 2000, the Initial Patent Examination Division (OICE) mailed the Notice advising Applicants that the declaration filed on September 28, 2000 was not signed, and that Figures 3C and 4B described in the specification appeared to have been omitted from the filed application.

In response, the present petition was filed. Petitioners point out, and the Office agrees, that the November 13, 2000 Notice is erroneous in that the specification of this application does not refer to a Figure 3C or a Figure 4B as alluded to in that Notice. However, on August 15, 2001, subsequent to the filing of the present petition, OICE mailed a letter to Applicants indicating that the November 13, 2000 Notice had been sent in error and was withdrawn. A corrected Notice that refers only to the unsigned declaration was enclosed with that letter.<sup>1</sup> The petition is thus dismissed as moot. No petition fee is owed.

In addition, the Power of Attorney submitted on January 11, 2001 has been entered and made of record.

The application is being returned to OICE for further processing.

Telephone inquiries concerning this matter may be directed to Petitions Attorney RC Tang at (703) 308-0763.

  
Beverly M. Flanagan  
Supervisory Petitions Attorney  
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for Patent Examination Policy

<sup>1</sup> The 8/15/01 Notice was intended not as a notice but rather a replacement for the 11/13/00 Notice, since Applicants had already filed a signed declaration and power of attorney on 1/11/01.